

## Data privacy notice

### “Bike test, roadshows and similar events incl. coronavirus contact tracing, showroom visit”

#### § 1 Controller

The controller as defined in the EU General Data Protection Regulation (hereinafter GDPR) and other national data privacy laws of the Member States as well as other specifications under data privacy law is:

Canyon Bicycles GmbH  
Karl-Tesche-Strasse 12  
56073 Koblenz  
Tel.: +49 261 9490 3000  
E-mail: [events@canyon.com](mailto:events@canyon.com)  
Website: <https://www.canyon.com>

#### § 2 Data privacy officer

The external data privacy officer of the controller is:

Attorney Dr. Karsten Kinast, LL.M.  
KINAST Rechtsanwalts-gesellschaft mbH  
Hohenzollernring 54  
D-50672 Cologne  
Tel.: +49 (0)221-222 183-0  
E-mail: [mail@kinast.eu](mailto:mail@kinast.eu)  
Website: <http://www.kinast.eu>

#### § 3 Bike test

##### a) Description of the data processing, purpose, legal basis

We are pleased to make it possible for you to test our bikes, e.g. in our showroom at our registered office or during external events, e.g. roadshows. Further information on the data processing during the registration/arrangement of an appointment that may be required for this can be found in Section 4 and Section 5 respectively of this data privacy notice.

Before the bike test, we record the following data from you:

- First and last name
- E-mail address
- Mobile number
- Recording of the age of majority yes/no
- Date of birth
- Gender
- Place of residence

After you have chosen your desired hire/test bike, we also record which bike was hired at which point in time from which employee. The hire will only take place in return for handover of security (official ID document), e.g. ID card/driving licence. A copy of the ID card will not be created. If the bike should be damaged during or after the test/hire, this will also be recorded (notes, photos).

A hire agreement is concluded by the provision of the bike for test purposes. The aforementioned mandatory information is saved in order to document the identity and age of majority of the bike tester, our contractual partner

for the hire, and the subject of the hire agreement before the bike is handed over for test purposes.

We require the mobile phone number to contact you by telephone if necessary during the test, e.g. if the hire period is exceeded. The recording of the e-mail address serves to ensure we can reach you more quickly if there are still outstanding topics after the test or that relate to the test. The aforementioned purposes constitute our justified interest in data processing pursuant to Art. 6 Para. 1 Clause 1 Letter f) GDPR. There is no conflicting, overriding interest not to use this data.

The legal basis for this is Art. 6 Para. 1 Clause 1 Letter b and Art. 6 Para. 1 Clause 1 Letter f (date of birth, e-mail address, mobile number) GDPR.

b) Saving, deletion

The data relating to the hire agreement and its implementation is saved for the assertion, exercising and defence of legal claims. This data will be deleted after expiry of the regular limitation period after conclusion of the hire agreement. This excludes the data collected pursuant to Section 6 (postal advertising). If the contract should be concluded in the course of the test (purchase, leasing of the bike), we may use the data collected for the recording of the contract conclusion and its fulfilment. In this case, there will be no deletion after expiry of the regular limitation period. The same applies if you register for a bike test and we create a customer account at our company for you here within the framework of the hire agreement.

c) Transfer/Recipient of the data

In-house recipients of the data are our employees responsible for the bike test. The data recorded before and, if applicable, after the bike test, is saved in our IT system. If you should damage the bike during the test, we will forward your data to our in-house claims department, if applicable, our insurance company and/or our lawyers for checking and, if applicable, further prosecution.

d) Possibility to object

**You can distance yourself from the planned test at any time before the hire agreement is concluded. In addition, you can object to the recording and/or further processing of your date of birth, e-mail address, mobile phone number, cf. Section 21 GDPR.**

#### **§ 4 Registration for our roadshows/events**

The registration for our roadshows/events that take place outside of our registered office and include a bike test is usually done electronically via our online registration form. The data named in Section 3 a) is recorded and processed via this for the purposes named in Section 3 a) and b).

On the respective page, you will also find additional information regarding online registration, e.g. how the contract is concluded.

For the online registration, we use the online event software *eveeno* from the company *eveeno*, D-91056 Erlangen. The data recorded in the course of the registration are saved by their web hoster, the company *Hosteurope*, Cologne (FRG), in the European Union. These two companies are therefore additional external recipients of the data pursuant to the General Data Protection Regulation (GDPR). The company *eveeno* was carefully selected by us and works on our behalf with regard to the recording and saving of data.

#### **§ 5 Visit to our showroom, arrangement of an appointment**

a) Description of the data processing, legal basis

A visit to our showroom in Koblenz is possible without prior notification during the opening hours announced by us unless there are restrictions to protect against infection. For some months, it has been necessary due to the coronavirus pandemic to arrange an appointment by telephone for the visit or to clarify beforehand by telephone whether a visit is possible at all, cf. also in this regard the further information under Section 7 "COVID pandemic".

When you contact us in this regard by telephone, we temporarily record in automated form using our telephone system your telephone number if no telephone number block has been stored. If it is possible to arrange an appointment for the showroom visit and if it is requested by you, we will record in our IT system your name, your address and your telephone number and the required scope of your visit (inspection, bike test, consulting) for the purpose of reservation and contact tracing. If it is necessary to change the appointment, we will give you a call.

The legal basis for this is Art. 6 Para. 1 Clause 1 Letter c and Art. 6 Para. 1 Sentence 1 Letter f (telephone number) GDPR. The arrangement of the appointment is required pursuant to the Act on Protection against Infection and the valid regulation of Rhineland Palatinate regarding the combating of coronavirus and/or a general decree of the city of Koblenz when certain incidence counts are exceeded. These and the visit made (date, time) have to be documented (contact tracing, cf. Section 1 Paragraph 8 of the regulation of Rhineland Palatinate regarding the combating of coronavirus and/or the corresponding regulations of the other federal states). The recording of the telephone number serves our legitimate interest in informing you about changes so that you do not travel in vain and also serves the tracing of contacts to combat coronavirus, cf. above. It is not evident that there are conflicting, overriding interests on your part.

**b) Saving, deletion**

If we are obligated to collect the data named under a) due to the regulation to combat coronavirus, this will be recorded/saved separately and deleted after four weeks. The data that is collected during the visit for other reasons, e.g. due to a purchase, is recorded by us for this purpose and will be deleted after expiry of the statutory periods (limitation of warranty claims, retention obligations pursuant to Section 257 HGB (*Handelsgesetzbuch* [German Commercial Code])). Further information on this can be found in our data privacy notice at [www.canyon.com](http://www.canyon.com). Arrangement of appointments and the data.

**c) Forwarding/Recipient of the data**

In-house recipients of the data are our employees responsible for the showroom and the arrangement of the appointment. The health department can ask us to surrender the data collected, cf. the RLP (Rhineland Palatinate) regulation to combat coronavirus.

**d) Possibility to object**

**You can cancel the appointment for visiting the showroom at any time. You can also object to the use of your telephone number for the purpose of us changing an appointment, cf. Section 21 GDPR.**

**§ 6 Postal advertising (letter mail)**

**a) Description of the data processing, saving, purpose, transfer, recipient**

If you notify us of your name and your postal address, we will save them for the possible future sending of postal advertising (letter post) regarding our bikes, offers and events and to send other advertising mail. During franking and dispatch which may be done by an external service provider, the data may become accessible to such a service provider. This service provider acts according to our instructions and on our behalf. It has its registered office in the European Union. There is no other transfer to third parties. The data is deleted as soon as it is no longer required for the attainment of the purpose of its collection or you have objected to the processing.

**b) Legal basis for the data processing, right to object**

Article 6, Paragraph 1 Clause 1 Letter f GDPR is the legal basis for the data processing specified under a). The sending of product information by mail is a legitimate interest of our company. You can object to this use of your personal data at any time. In such a case, we will suspend the sending of the mailing. In addition, Section 9 (your rights as the data subject) applies.

**§ 7 COVID pandemic**

**a) General (legal provisions, contact tracing)**

The registration for our roadshows/events that take place outside of our registered office and include a bike test is currently only possible in compliance with the respective coronavirus legal regulations valid at the time of the event. The same can apply to a visit to our showroom.

As a result of this, we may be obligated to perform contact tracing. In this regard, the legal provisions valid at the place of the event are decisive. We will inform you about this upon registration and shortly before the event is held and on site. Contact tracing usually requires the recording of your name, your place of residence and other contact details, e.g. telephone number.

#### **b) Luca guest app**

Where permissible, we use the Luca guest app to perform contact tracing at external events/roadshows. Information on the data processing can be found at <https://www.luca-app.de/app-privacy-policy/>, on the usage of the app at <https://www.luca-app.de/app/>

When you download the Luca app, the app store provider processes certain data. Enquire about this at your app store provider. The usage of the app requires registration with the app provider (name, contact details). The app provider is the company culture4life GmbH, Charlottenstraße 59, 10117 Berlin, Germany, cf. <https://www.luca-app.de/impressum/>

When you wish to enter our event venue, we record with a scanning device the encrypted, temporary QR code generated by your Luca app, or you scan our code as the host. This is saved along with the time of the start of your stay, guest number, department, by us on German servers that the app provider provides to us. The information which is doubly encrypted here is saved on German servers certified according to ISO-27001 and deleted after a maximum of 30 days.

Only the health department (and only after approval of the check-in data records by us as the operator) can decrypt your QR code and inform you about a possible contact with an infected person. As the host, we will receive via Luca Locations information from the health department that there was an infected person among the guests. At the same time we are asked to release the check-ins that tally with the time stamp of the infected person.

Article 6 Paragraph 1 Clause 1 Letter c GDPR serves as the legal basis for this. The processing serves to fulfil our legal obligation to ensure contact tracing.

In the case of a potential contact with an infected person, the external recipient of the data is therefore the responsible health department during our event. The app provider is the external recipient of the encrypted data; it provides web hosting and other IT services on our behalf and has been carefully collected by us.

#### **§ 8 In the event of your consent: Photos and video recordings**

At certain events we would like to create photos and/or film recordings of you as a visitor and bike tester and subsequently make promotional use of them and transfer them to certain third parties. We will clearly point this out beforehand and ask you to give your consent:

##### **a) Description of the data processing, purpose, saving, consent**

Photos and videos on which a person is discernible are personal data pursuant to the regulations under data privacy law.

We ask you to grant your consent to the production and utilisation of photos and film recordings on which you are discernible. We would like to use them to advertise ourselves and our bikes. This also includes advertising for similar future events and the reporting on the event in which you participated.

For this purpose, the photos and videos produced can be made publicly accessible in print, video and online media incl. in social media channels. This may also include the transmission of data to the US if applicable.

In addition, the photos and videos produced can be used by the companies

- JobRad GmbH, Heinrich-von-Stephan-Str. 13, 79100 Freiburg (Bike-Leasing) and the company
- RAD RACE GmbH, Mühlenstraße 17, 48143 Münster (organiser of bike events)

for their own purposes in the same media.

We ask you for this consent when registering for the respective Canyon event (roadshow, test bike usage, summer festival, etc.) in which you would like to participate.

If you give us the consent online in a registration form, this declaration will be recorded and saved with the service provider commissioned by us which provides us with the registration platform/registration software for use, cf. Section 4 of this notice, and transmitted to us. This includes

- Your shortened IP address at the time when the consent was given
- Date and time of the declaration of consent
- Content of the consent

The data will be deleted at our partner within 1 month after close of registration. We delete the data sent to us as soon as they are no longer required for the attainment of the purpose of their collection. Details in this regard can be found from the next-but-one paragraph onwards in this information.

If you revoke the consent, we save the content of your declaration of revocation, the type of submission and the time of receipt and the images created with your consent for documentation purposes. We save the data to defend against possible legal claims. After expiry of the limitation period, the data will be deleted unless the content constitutes a business letter pursuant to Section 257 HGB.

If you have granted us consent to produce photos and videos, the date, time, location (GPS coordinates of the recording location) and other technical data (focus distance of the camera, flash, etc.) are recorded when the photos or recordings are made (hereinafter also referred to as "supplementary data"). This supplementary data is only used in exceptional cases, e.g. for the allocation of an image to an event which would otherwise not be possible (date of the photo or recording). The digital image files are copied by the photographer to an external local memory, transmitted to us in digital form and saved on our local IT system. The files are then deleted by the recording device/memory card of the photographer at the latest 1 month after the event.

Out-of-focus image files/video sequences that are not suitable for the purpose of use, e.g. wrong image section, faces looking the wrong way, closed eyes, etc. are already deleted before and after the data transmission. The remaining photos/videos are saved on our IT system.

A selection of these are published on our website and our social media portals, if applicable also in further print and online media, for the purpose of our own advertising, reporting and/or advertising of the event. The same can also be done by the companies JobRad GmbH and RAD RACE GmbH. The photo and film files will be copied and transmitted to these companies for this purpose.

In addition, the files can also be transmitted to third parties that place the advertisements in question for us or operate the social media channels. They can also be domiciled in a third country or their servers can be located in a third country. This applies in particular for use on our Facebook channel, Instagram, Twitter, cf. Section c).

#### **b) Legal basis of the data processing, revocation**

The legal basis for this is the consent granted by you pursuant to Art. 6 Letter a GDPR, Article 7 GDPR and Article 49 Paragraph 1 a) GDPR (transmission to a third country = USA).

You can revoke the consent given at any time, cf. Section 9. With the revocation of the consent, the lawfulness of the processing done based on the consent up until its revocation is not affected.

The saving of the IP address and of the time of the granting of the consent is intended to be able to document your consent and, if applicable, to clarify a possible abuse of your personal data. The legal basis for the processing of this data is Art. 6 Para. 1 Letter a and f) and Art. 7 Para. 1 GDPR.

#### **c) Potential recipients of the data, third countries**

For the creation of the images and videos, we commission an external photographer in exceptional cases who carries this out on our behalf if we do not have it carried out by an employee of ours. In order to transmit the images and videos to us, the external photographer uses a USB stick that is handed over personally or, if applicable, a file hosting system. The data is saved there temporarily. The system provider works at the instruction of the photographer on his/her behalf (contract

processor pursuant to Art. 28 GDPR). In order to publish the selected recordings and videos on our homepage, the images and films are uploaded to our web server and saved there. If the images and videos are placed on our Facebook page, Instagram or other social media channels, the operators of these portals also receive access to the files. They are domiciled in a third country (USA).

Other external recipients of the data collected may be the companies JobRad GmbH and RAD RACE GmbH and the publishers of the said print and online media, e.g. newspaper publishers/magazine publishers, if the images are used to illustrate an article which is to be published there. The same applies for the placement of an advertisement in such a medium.

In-house recipients of the photos/films are our marketing department and the company management if this data is required there. The photos and videos will be deleted as soon as their purpose of usage or legal prosecution no longer applies.

The photos/films may be produced by external photographers who work on our behalf and will produce photos and recordings on specific instruction (contract processor). They are carefully selected by us and work on our behalf. They are located in the European Union and in exceptional cases if an event is held in Switzerland, possibly in Switzerland if our photographer from Germany cannot, as an exception, participate. The photos/recordings in Switzerland are subject to the GDPR pursuant to Article 3 Paragraph 1 GDPR.

#### **d) Possibility to object and eliminate**

You can revoke the consent given. Please send your revocation to [events@canyon.com](mailto:events@canyon.com).

**You can object to the processing of the data which we base on Article 6 Paragraph 1 Clause 1 Letter f GDPR, see in this regard under b), at any time, cf. Section 9 of this declaration and Art. 21 GDPR.**

Your revocation is to be sent to [events@canyon.com](mailto:events@canyon.com).

#### **§ 9 Your rights as the data subject**

As the data subject, you have the following rights towards us with regard to the personal data relating to you:

- a right to cost-free information pursuant to Article 15 GDPR;
- a right to rectification or erasure pursuant to Article 15 or Article 16 GDPR;
- a right to restriction of the processing pursuant to Article 18 GDPR;
- a right to objection to the processing pursuant to Article 21 GDPR;
- a right to data portability pursuant to Article 20 GDPR;
- a right to revoke consent given under data privacy law pursuant to Article 7 Paragraph 3 GDPR;
- a right to non-automated decision making pursuant to Article 22 GDPR.

You also have the right to appeal to a data privacy supervisory authority regarding the processing of your data by us.

In the event of questions regarding data processing and regarding the exercising of your rights, you can contact us as the controller or our data privacy officer, cf. the contact information under Section 1 and Section 2 of this info text.